

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>  
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ORDER DENYING FIR TREE CAPITAL MANAGEMENT, LP MOTION FOR  
LEAVE TO WITHDRAW AS COUNSEL OF RECORD AND FOR EXTENSION OF TIME

The Court has received and reviewed the *Fir Tree Capital Management, LP Motion for Leave to Withdraw as Counsel of Record and for Extension of Time* (the “Notice of Withdrawal”) filed by Javier Vilariño (“Counsel”). (Docket Entry No. 19425 in Case No. 17-3283). Pursuant to Local Bankruptcy Rule 9010-1(3)(C), “[a]n attorney must file a Motion for Leave to Withdraw if any of the requirements set forth in subparagraph (A) are lacking, and must serve that motion upon the parties listed in subparagraph (B). Counsel remains the attorney of record in the case and/or proceeding until the court enters an order granting the withdrawal.”

The Motion conclusorily cites “irreconcilable differences between [Counsel] and Fir Tree representatives” as the basis for the withdrawal request. (Mot. at 2.) The Motion does not further explain the reasons for the request to withdraw nor what, if any, aspects of Local Bankruptcy Rule 9010-1(3)(A) were satisfied in advance of the filing of the application; notably, however, the Motion is not accompanied by a Notice of Appearance by substitute counsel. Thus,

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

the Motion is DENIED. Counsel is granted leave to refile a motion to withdraw as counsel in accordance with Local Bankruptcy Rule 9010-1(3)(C) and shall remain counsel of record pending further order of the Court.

SO ORDERED.

Dated: December 8, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge